

AMENDED IN ASSEMBLY MARCH 14, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

No. 305

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**Introduced by Assembly Member Furutani**

February 9, 2011

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An act to amend ~~Section~~ *Sections 7296.2 and 7299.6* of the Government Code, relating to state government.

### LEGISLATIVE COUNSEL’S DIGEST

AB 305, as amended, Furutani. ~~States agencies: use of a foreign language.~~ *Dymally-Alatorre Bilingual Services Act.*

*The Dymally-Alatorre Bilingual Services Act requires each state agency to conduct a survey of its local offices every 2 years regarding their public contact positions and the provision of bilingual services, as specified. The act requires the State Personnel Board to compile the results of the survey and provide it in a report to the Legislature every 2 years.*

*This bill would revise and expand the duties of the State Personnel Board with regard to the surveys and implementation plans, and the report required to be submitted by the board. This bill would require state agencies to use specified criteria in determining the number of non-English-speaking people for purposes of the act.*

~~Existing law requires the State Personnel Board to review the results of the surveys and implementation plans relating to the use of a foreign language in public service, compile this data, and provide a report to the Legislature every 2 years.~~

~~This bill would require the State Personnel Board to review the results of surveys and implementation plans to better inform the public about the language needs of California residents and the available resources~~

of state agencies to meet those needs. This bill would require the report to identify state agencies that are not complying with specified existing laws, list state agencies and their respective field office or offices that have staffing deficiencies, list state agencies that have deficiencies in translated materials, and present key survey results and implementation plans by state agency and field office.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 7296.2 of the Government Code is  
2     amended to read:

3     7296.2. ~~As used in Sections 7292 and 7295.2, (a) As applied~~  
4     to state agencies, a “substantial number of non-English-speaking  
5     people” ~~are means~~ members of a group who either do not speak  
6     English, or who are unable to effectively communicate in English  
7     because it is not their native language, and who comprise ~~5 percent~~  
8     ~~or more of the people served by any local office or facility of a~~  
9     state agency; the lesser of the following:

10    (1) One thousand or more of the residents of a county in which  
11    the local office of a state agency is located.

12    (2) Five percent or more of the residents of a county in which  
13    the local office of a state agency is located in.

14    (3) Five percent or more of the people served by any local office  
15    or facility of a state agency.

16    (b) In determining the substantial number of  
17    non-English-speaking people in for purposes of subdivision (a),  
18    each state agency shall utilize the most accurate information or  
19    data compiled by the United States Bureau of the Census or the  
20    Department of Finance relating to the language characteristics  
21    of the population. In the case of a local office of state agency that  
22    services multiple counties, the determination shall be based on the  
23    geographic service area of each local office.

24    ~~SECTION 1.~~

25    SEC. 2. Section 7299.6 of the Government Code is amended  
26    to read:

27    7299.6. (a) The State Personnel Board shall review the results  
28    of the surveys and implementation plans required to be made by  
29    Section 7299.4, to better inform the ~~public~~ Legislature about the

1 language needs of California residents and the available resources  
2 of state agencies to meet those needs. The State Personnel Board  
3 shall compile this data, and provide a report to the Legislature  
4 every two years.

5 (b) The report shall do all of the following:

6 (1) Identify state agencies that are not complying with this  
7 chapter.

8 (2) List state agencies and their respective field office or offices  
9 that have staffing deficiencies.

10 (3) List state agencies that have deficiencies in translated  
11 materials.

12 (4) Present key survey results and implementation plans by state  
13 agency and field office.

14 (5) Identify significant problems or deficiencies and propose  
15 solutions where warranted.

16 (6) Be submitted in compliance with Section 9795.